

MAIL STOP PATENT APPLICATION
Attorney Docket No.: 25582A
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

22386 U.S. PTO
10/692678
10/27/03

In re Application of:
BABAYOFF et al.
Serial No. Not yet assigned
Filed: October 27, 2003

For: **IMAGING A THREE-DIMENSIONAL STRUCTURE BY CONFOCAL FOCUSSING AN ARRAY OF LIGHT BEAMS**

(This application is a divisional of U.S. Patent Application 09/775,298 filed February 1, 2001 which is a 371 of PCT/IL99/00431 with an international filing date of August 5, 1999)

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

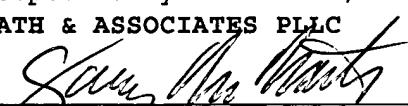
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

Divisional Patent Application consisting of:

- (1) Transmittal Letter;
- (2) Filing Form For Divisional U.S. Patent Application;
- (3) 25 page Divisional Application including:
 - 1 Cover page containing the abstract,
 - 14 Pages of Textual Specification
 - 5 Pages of 33 Claims
 - 5 sheets of drawings;
- (4) PCT/IPEA/416 & 409 International Preliminary Examination Report with 8 pages of annexes of amended sheets to be examined;
- (5) **Preliminary Amendment to the IPER amended sheets to be examined;**
- (6) Executed Declaration/Power of Attorney;
- (7) Copy of Assignment from parent application;
- (8) Check no. 15659 \$ 385.00 for filing fee for a small entity;
- (9) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath
Registration No. 26,965
Marvin C. Berkowitz
Registration No. 47,421
Customer No. 20529

Date: October 27, 2003
NATH & ASSOCIATES PLLC
1030 15th Street, NW - 6th Floor
Washington, D.C. 20005
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13281 U.S.PTO
102703

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FILING FORM

FOR DIVISIONAL U.S. PATENT APPLICATION

Commissioner for Patents
Washington, D.C. 20231

Sir:

1. This is a Request for filing a
 - Continuation Application under:
 - 37 CFR 1.53(b)(1)
 - Divisional Application under:
 - 37 CFR 1.53(b)(1)
 - Continuation-In-Part (CIP) application
 - 37 CFR 1.53(b)(2)

of **prior** ("parent") application:

Serial No. 09/775,298

Filed: February 1, 2001

Entitled: **IMAGING A THREE-DIMENSIONAL STRUCTURE BY CONFOCAL FOCUSSING AN ARRAY OF LIGHT BEAMS**

of **prior** International application:

Serial No. PCT/IL99/00431

Filed: August 5, 1999

Entitled: **IMAGING A THREE-DIMENSIONAL STRUCTURE BY CONFOCAL FOCUSSING AN ARRAY OF LIGHT BEAMS**

2. *Enclosed for application under 37 CFR 1.53(b) are:
 - 20 pages of text (cover sheet, specification, claims, abstract)
 - 33 claims
 - 5 sheets of drawings

3. The **present** application names the following inventor(s):

1) Noam BABAYOFF, 2) Isaia GLASER-INBARI

Newly executed oath or declaration (original or copy) is submitted herewith pursuant to 37 CFR 1.41, 1.53

Copy from a prior application (37 CFR 1.52 (b))

(37 CFR 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

Enter the Amendment filed in the prior patent application on _____ prior to calculating the filing fee.

Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

| (Col 1) | | (Col 2) | | SMALL ENTITY | | NON-SMALL ENTITY | |
|-------------------------------------|---|------------------------|------------------------|--------------|-----|------------------|-----|
| | | NUMBER OF CLAIMS FILED | NUMBER OF EXTRA CLAIMS | RATE | FEE | RATE | FEE |
| TOTAL | 2 | minus 20 | 0 | x9= | 0 | x18= | 0 |
| INDEP | 1 | minus 3 | 0 | x43= | 0 | x86= | 0 |
| BASE FILING FEE: | | | | +385= | 385 | +770= | 0 |
| <u>xx</u> Multiple Dependent Claims | | | | +140= | 0 | +280= | 0 |
| | | TOTAL | | 385 | OR | TOTAL | 0 |

Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:

was filed in the parent application, and small entity status is still proper and desired;

is asserted as allowed under 37 CFR 1.27.

A check including the above-indicated filing fee is enclosed.

- A Petition for Extension of Time (to keep the parent case pending) is enclosed, with a check including the \$ extension fee.
- Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.
- No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR 1.41, 1.53, and/or a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR 1.16(e).
- The prior application is assigned of record to CAIDENT LTD., Or Yehuda, ISRAEL, the Assignment being recorded on June 27, 2001, on Reel 011936 Frame(s) 0149.
- An original executed Declaration is enclosed.
- Amend the specification by inserting before the first line the sentence:

-- This application is a divisional of U.S. Patent Application 09/775,298 filed February 1, 2001 which is a 371 of PCT/IL99/00431 with an international date of August 5, 1999 and claims priority to Israel application 125659 filed August 5, 1998, the entire contents of which are hereby incorporated by reference in their entirety.--
- Benefit is claimed under 35 U.S.C. 119(e) from U.S. Provisional Patent Application(s) No. _____ filed _____.
- Foreign priority under 35 U.S.C. 119 of ISRAEL application(s) 125659, filed August 5, 1998, is hereby claimed. The certified priority paper(s):
 - was/were filed in the parent case;
 - is/are enclosed herewith;
 - will be submitted at a later date.
- The power of attorney in the current application is to Gary M. Nath, Reg. No. 26,965 et al., customer no. 20529.
 - The power appears in the original papers in the prior application.
- A new power appointing NATH & ASSOCIATES PLLC, Washington D.C. is submitted herewith.

X Address all future communications to:

Gary M. Nath
NATH & ASSOCIATES PLLC
1030 15th Street, N.W.- 6th Floor
Washington, D.C. 20005

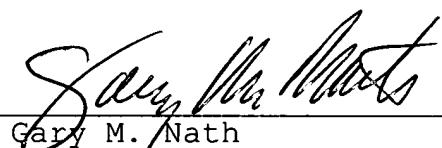
— If extensions of time under 37 CFR 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR 1.17, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

X A check for \$385.00 for the filing fee is attached. The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: October 27, 2003



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Marvin C. Berkowitz
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